
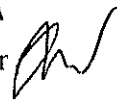




MEMORANDUM

To: Environmental Quality/Land Use Committee

Thru: Brandol Harvey, Chief of Planning 

From: Andrew Warren, Development Administrator 

Date: August 9, 2006

Subject: SUP 06-007 – 1301 Gladewood Drive, an amendment to Special Use Permit for a Religious Assembly Use; Special Use Permit for Day Care Facility in the Rural Residential-1(RR-1) zoning district.

SUMMARY OF REQUEST

Request: An Amendment to Religious Assembly Use and Special Use Permit for Day Care Facility

Property Location: 1301 Gladewood Drive

Tax Parcel Number: Tax Map Number 224(15)16A, 224 (A) 44C

Lot Size: 5.9 acres (257,135 sf)

Zoning District: RR-1, Rural Residential-1

Adjacent Zoning District: RR-1, Rural Residential-1

Present Use: Religious Assembly use, Primary School use, Vacant

Surrounding Uses: Single-family detached dwellings

Neighborhood Meeting: 7:00 p.m., August 9, 2006

BACKGROUND

The Unitarian Universalist Congregation is proposing an amendment to the existing special use permit for a religious assembly use. The existing building is 4,571 square feet. The proposal is to add 5,018 square feet to the existing sanctuary and add a lower level congregational life area of 4,401 square feet. The total square footage of the phase 1 expansion is 9,419 square feet. The proposed number of parking spaces to be built for the first phase is 105 parking spaces. Also included in the SUP application proposal are two

building additions with a combined 13,000 square feet. The “future 1-story” building is designed as a fellowship hall and the “future 2-story” is designed as another addition to the sanctuary. A “potential future parking lot ‘C’” with 26 parking spaces is proposed with an entrance off of Hardwood Drive.

The site is comprised of two parcels for a total of 5.9 acres. The parcel with the existing church, Tax Map Number 224(15)16A, is 2.94 acres. The other parcel, Tax Map Number 224 (A) 44C, is 2.96 acres and was acquired by the church in 2004.

In 1990 (Resolution 12-D-90), the Unitarian Universalist Congregation received a special use permit for a religious assembly use for the former size of 2.94 acres. In 1992, Town Council granted the Children’s Garden, Inc a special use permit for a primary school (Resolution 8-C-92.) The applicant wishes to maintain this SUP and also seek a special use permit for a potential Day-Care Center if the Garden School should leave this location.

CRITERIA

The criteria to be considered in evaluation of a Special Use Permit are:

1. Conformance to the Comprehensive Plan, or to specific elements of the Plan, and to official Town policies adopted in relation thereto, including the purposes of the Zoning Ordinance.
2. Adherence to minimum adverse impact on the surrounding neighborhood or community. The proposal as submitted shall not cause adverse impacts as defined by Section 1181 (b) of the Zoning Ordinance. Adverse impacts considered may include, but not be limited to, traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes and vibrations. Due regard is given to the timing of the operation, site design, access, screening, or other matters which might be regulated to mitigate adverse impact.

NEIGHBORHOOD MEETING

A neighborhood meeting was held at 7 p.m. on August 9, 2006. There were seven resident/property owners in attendance. Bruce Ferguson, representing the applicant, summarized the master plan for the expansion of the existing structure and the proposed site improvements. Mr. Ferguson explained that the submitted site plan illustrates all additional phases, even though a timetable for the future 1-story, future 2-story, and the potential future parking Lot “C” is indeterminate. In addition, he stated that a special use permit exists for a primary school on site. The primary school will stay and may move down into the new addition, but will not expand in size. He explained that the church seeks a special use permit for a day care facility as well. This would only be used if the primary school were to vacate the site. He also explained the nature of the memorial garden labeled on the site plan and that it will be restricted in size. He stated that both the special use permit for the day care facility and the incidental use of the memorial garden are not viewed as necessities for the church and could be removed if there were substantive objections from neighbors.

The primary focus of the questions asked, and the concerns raised, by the attendees regarded screening around proposed parking lots and the stormwater management of additional run-off caused by the proposed improvements to the building and parking areas. Glare from car headlights was a concern for property owners who live below "New Parking Lot B". Mr. Ferguson explained that the parking lot will consist of an upper tier and lower tier parking lots. There will be a type B buffer yard between the lower tier parking lot and the property lines of the residents. The residents suggested that an architectural buffer yard would be more effective than the vegetative buffer yard. The residents voiced the concern that glare could affect them more from vehicles parking in the upper tier and suggested that a screening be placed between the two tiers. A further suggestion was to move the parking lot further up the hill away from the rear of homes on Gladewood Drive.

The resident at 1600 Hardwood Drive stated that their concern is that they would be looking at a blank fence. Mr. Ferguson stated that the church could commit to building the fence out of wood, in this instance and other buffer yards, and could possibly plant the required plantings on the neighbors side of the fence.

A general concern was articulated regarding the potential affect of increased impervious surface runoff onto adjacent resident's property. The applicant mentioned that low impact development elements, such as porous pavers, will be used if it can be afforded. One neighbor suggested that he would rather see the church pave the parking lot and ensure that a large rain event in the future will be adequately handled as oppose to using porous pavers and having the potential for the pavers to not work as designed and risk greater water runoff. Another resident asked if "New Parking Lot B" could be constructed with a grade so that the water runoff could be directed away from the homes on Gladewood Drive. One resident voiced a concern that the current detention pond would have to be enlarged. He also added that today the pond contains debris which may cause it not to perform as efficiently as possible. One resident expressed concern of the stormwater channel's adequacy downstream to handle the additional runoff. He stated that water already pools in his front yard at 1301 Gladewood Drive during a hard rain.

In connection to the concern for increased runoff, the attendees encouraged the applicant to decrease the number of parking spaces on-site. The applicant responded that he was surprised to hear this suggestion since the one standing complaint from neighbors historically has been on-street parking. He stated that the number of spaces on-site was designed to remove the need for on-street parking, provide convenient access for older congregation members, and allow the church to grow as planned.

One resident raised the concern that the future 1-story addition which has been indicated as a fellowship hall. He stated that if it may cause noise and disruption to the surrounding neighborhood if there are a lot of weddings and social gatherings.

COMPREHENSIVE PLAN

The Northwest Planning Sector and Community Design chapters of the Comprehensive Plan were referenced for this analysis. The Unitarian Universalist Congregation is considered in the Glade/Westover Neighborhood of the Northwest Sector of the Comprehensive Plan.

Critical Neighborhood Issues

Soil erosion and stormwater run-off are key environmental concerns that the town should strictly monitor. As development continues throughout the sector, more rooftops and pavement and undersized storm drains and retention ponds will lead to more run-off and non-point source pollution of groundwater, as well as sedimentation of streams by erosion.

The Future Land Use map identifies the property as Civic land use of the existing area for the special use permit (224(15)16A) and Very Low Density Residential (224 (A) 44C) for the recently acquired parcel to the east. Civic land use is defined as schools, places of worship, government offices or use, clubs and other institutional uses. Very Low Density Residential is defined as small clusters of residential up to a net density of one dwelling unit per acre, with some low intensity agricultural uses.

The Community Design chapter cites “preserving the rural character of the Tom’s Creek Basin, located west of the Route 460 Bypass, presents a special challenge for the town. This area contains the majority of the town’s developable land and will be subject to intense development pressures as Blacksburg’s population continues to grow. Current zoning requires that a majority of developed land remain as significant open space to maintain the town’s rural atmosphere and to provide large contiguous expanses of green space.”

ZONING ORDINANCE

Definitions –

The application proposes an amendment of an existing Religious Assembly use. A Religious Assembly use is defined as located in a permanent building and providing regular organized religious worship and related incidental activities, except primary or secondary schools and day care facilities.

The application proposes to maintain the existing Primary School and not expand the use significantly. A Primary/Secondary Educational Facility is defined as a public, private or parochial school offering instruction at the elementary, junior and/or senior high school levels in the branches of learning and study required to be taught in the public schools of the Commonwealth of Virginia.

The application proposes a Day Care Center to potentially replace the existing primary school use if the primary school were to move. A Day Care Center is defined as any facility operated for the purpose of providing care, protection and guidance to 10 or more individuals during only part of a twenty-four hour day. This term includes nursery schools, preschools, day care centers for individuals, and other similar uses but excludes

public and private educational facilities or any facility offering care to individuals for a full twenty-four hour period.

The approval of a day-care use in a new special use permit would expire after 18 months of Council approval if not commenced with a clear intent to actually put the use into service. The Zoning Administrator has the authority to determine the clear intent of establishing the use. One determining factor may be if and when a primary school was to leave the site.

Rural-Residential-1 District –

The purpose of the district is to provide for residential development at a scale intended to conserve the rural character of the district. Religious Assembly use requires a special use permit in the Rural Residential-1 (RR-1) district. Both the existing primary school and the potential Day Care Center require special use permits in the RR-1 district.

The proposal appears to meet all applicable setback requirements. The maximum height of a building in the district is 35 feet. Building height is defined in the code as the vertical distance measured from the adjoining grade at the front entrance of the building or structure to the highest point of the structure. The applicant is not required to dedicate 50% of the property to open space since they are not subdividing the land, however the applicant is showing over 51% of the proposed site plan as open space.

Use and Design Standards –

The zoning ordinance provides use and design standards for both a religious assembly use and a day care center. The **religious assembly use** standards apply as follows:

(1) Any outdoor activity area, swimming pool, or ball field or court which adjoins a residential use type shall have a type C buffer yard. There are several play areas, potential or otherwise, labeled on the SUP site plan. Where these play areas are shown, the site plan reflects a Type C buffer yard along the adjacent property line. A type C buffer is defined as providing a 6' screen and a 25' buffer yard planted with large and small evergreen trees or a 50' buffer yard planted with large evergreen trees, small evergreen trees, and one row of evergreen shrubs.

(2) Where exterior lighting of such areas is proposed large evergreen trees shall be required in a location appropriate to screen adjoining residences.

The applicant has not indicated that exterior lighting is proposed for the site. Any proposed exterior lighting will be required to be reviewed during this special use permit process.

(3) A place of religious assembly which adjoins a R-4, R-5, OTR, RR1 RR2 or PR zoning district shall have a type B buffer yard.

A type B buffer yard is required on all sides where improvements are proposed. In several instances, the applicant has indicated on the site plan whether an architectural or vegetative buffer is planned. On the north side of "New Parking Lot B", the committee

may want to condition an architectural buffer and require the placement of the buffer yard in the most effective location given the steep topography of the lot.

(4) Additional standards in the RR-1, R-4, R-5, and OTR zoning districts:

(1) Minimum side setback for new structures: 20 feet.

There is not a new structure planned, however the additions meet this setback.

(2) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

The lot is an oddly shaped lot with frontage on three publicly maintained streets. The front of the lot is considered the area between the phase 1 addition and future 2-story addition and Gladewood Drive. There is existing parking spaces in front of the existing structure. The proposed site plan shows 5 existing spaces and 26 new spaces between the proposed front building line and Gladewood Drive. The intent of this standard is to encourage buildings to be located closer to the street that it fronts. The Committee may wish to recommend an exception and consider whether the proposed parking scheme is consistent with the spirit of the requirement, since all parking is behind the single-family houses that front on Gladewood Drive.

(3) Applicants must clearly demonstrate that the use will be compatible with the neighborhood, particularly with regard to traffic circulation, parking, and appearance. Drop off areas may be located in the front yard, but shall maintain a residential character and appearance.

The church is a well-established use in the neighborhood and appears to be compatible with the surrounding communities. Providing additional on-site parking will help alleviate the amount of on-street parking for Sunday morning services. The entrance to the site will be required to be established to VDOT standards for this use classification.

(4) Exterior lighting shall be compatible with the surrounding neighborhood.

There is no exterior lighting proposed as part of the special use permit. Any proposed exterior lighting should be reviewed as part of this process.

(5) Entrances to the site should be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any surrounding residential neighborhood.

The primary entrance, and the only entrance for the near future, to the site will be off Gladewood Drive. At full build-out, there is proposed to be an entrance off of Hardwood Drive.

(6) The scale, massing, and building design shall be compatible with the surrounding neighborhood.

The proposed additions will increase the scale and massing of the existing building by adding over 9,400 square feet in size in the first phase. It is, and will be, significantly larger in scale and mass than the surrounding single-family dwellings, however it will comply with the maximum lot coverage, floor area ratio, and height standards that apply to this use and the RR-1, Rural Residential-1 district. The design of the phase 1 addition is consistent with the current architecture. Features such as similar materials and the pitched roof are planned to continue onto the addition in order to continue the residential design of the existing building. There is not a steeple, or other similar design elements, that would make it stand out to a greater extent in this residential community.

(7) The structure shall be street oriented with pedestrian entrances from the street. The street orientation continues the orientation of the original structure. The site plan does not show pedestrian connections from the street. There is not a sidewalk system in this residential neighborhood. It may further encourage on-street parking if a walkway were to be provided to either Gladewood Drive or Hardwood Drive. The committee may wish to grant an exception to this standard given the lack of a pedestrian system in the surrounding community and to discourage on-street parking.

(c) Additional standards in the RR1 and RR2 zoning districts:

(1) Maximum floor area ratio: 0.20

The proposed floor area ratio (the gross floor area of the building compared to lot size) at full-build is estimated at approximately .10.

(2) Maximum lot coverage: 40%

The proposed site indicates the maximum lot coverage for the site is 31%.

A majority of the use and design standards for a Day Care Facility are designed for a stand alone facility or are similar or the same as the use and design standards for a religious assembly use as covered above. Two standards that should be stated are:

1. **All day care centers shall be licensed by the Commissioner of Social Services.**
2. **For existing structures, no exterior changes may be made that are nonresidential in character.**

In the eventuality that a day care center is established, the committee may want to consider limiting the number of children to a number consistent with the existing primary school and prohibit both a daycare and primary school from operating simultaneously on the site.

Development Standards –

The applicant will be required to meet all applicable site development standards including parking, buffer yards, landscaping, and parking lot landscaping. The applicant appears to be able to meet or exceed the required standards. Any signs or exterior lighting will have to meet the required development standards for the Rural-Residential-1(RR-1). It should be noted if the applicant is planning any signs or exterior lighting improvements. All phases must meet the required standards for any particular phase. For example, the phase

1 addition with a seating capacity of 282 seats, the applicant will need to provide 71 spaces on-site.

As part of any site plan review, the applicant is required to design and construct stormwater management facilities for the proposed development in accordance with the Town code. The design shall include, but not be limited to, an analysis of: proposed storm water drainage facilities, pre- or post-development storm water runoff calculations, impacts on downstream properties, impacts upon downstream stormwater management facilities, and existing and potential runoff from upstream drainage areas.

The proposed increase in square footage for church property does not appear to increase projected traffic volumes above the VDOT geometric design standards for the existing local residential curb and gutter streets. Based upon the proposed area of the new facility, the ability to expand primary school and day care activities is limited and therefore are not perceived as generating additional traffic flow that would exceed the geometric design standards for the existing residential curb and gutter streets.

ADVERSE IMPACTS

Adverse impacts considered may include, but not be limited to, traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes and vibrations. Due regard is given to the timing of the operation, site design, access, screening, or other matters which might be regulated to mitigate adverse impact.

The existing storm water management system at the Unitarian Church has been an issue with an adjacent property owner since March, 2005. Town staff met with representatives from the Church in June, 2005 and it was concluded that stormwater from the parking areas on the northeast side of the property is not being conveyed to the detention basin as originally designed. It is the property owner's responsibility to correct the deficiencies in the existing system and maintain the stormwater management system, regardless of the action taken upon this special use permit. The applicant desires to incorporate the improvements to the existing stormwater deficiencies into the proposed plans for the church expansion. The applicant is not in compliance with the Stormwater Management section of the Town Code(Chapter 18, Article 6.) In order for the applicant to be in compliance with Town Code, the existing deficiencies should be corrected as soon as possible independent of any new development schedule. The committee may want to consider a condition stipulating that deficiencies in the existing stormwater management system be corrected prior to the new uses or construction being put into service.

Most activities will be related to Sunday morning services. However, the church hopes to build a fellowship hall (the future 1-story on the site plan) in order to have congregation-sponsored events and to have weddings and other functions. With the close proximity of residences to the proposed fellowship hall and the potential for additional noise caused by additional traffic and auxiliary events, the committee may want to consider limiting events for the future 1-story, "the fellowship hall" to "operating hours" for functions between 8 AM and 10 PM.

The new parking lot "B", as described by the applicant, will be split into two tiers to accommodate for the topographic change. As discussed in the neighborhood meeting, vehicle headlights and other activities in the upper tier parking lot may not be adequately screened by the required type B buffer yard that will be established to the north of the lower tier of parking between the parking lot and the rear property lines of homes fronting on Gladewood Drive. The committee may want to require additional screening such as a four-foot solid fence mounted at the higher elevation between the upper and lower tiers of parking.

CONCLUSION

In conclusion, the Special Use Permit application being reviewed is a discretionary decision. The application is evaluated on conformance with the Comprehensive Plan and to official Town policies, including the purposes and development requirements of the Zoning Ordinance. In addition, the special use application is evaluated on minimum adverse impact on the surrounding neighborhood or community. The applicant's proposal for an expansion of a civic use is consistent with the Comprehensive Plan's future land use designation. The Comprehensive Plan is supportive of religious assembly uses in residential neighborhoods if the scale is compatible with the surrounding development and sensitivities are recognized and designed for in order to lessen the impact the proposed.

The Zoning Ordinance allows the Planning Commission to grant exceptions to the applicable use and design standards. In determining whether to grant an exception, the planning commission shall consider: the Comprehensive Plan, the purposes of the zoning district, the intent of the standard from which the exception is requested, and whether the intent of the standard may be met by alternate means. The Planning Commission may grant a complete exception from the standard, or it may modify the standard in view of the peculiarities of the site.

The committee may want to recommend the following exceptions to the Use and Design Standards:

1. The Committee may wish to recommend an exception to Section 4338(b)(2) requiring all parking behind the front building line and consider whether the proposed parking scheme is consistent with the spirit of the requirement, since all parking is behind the single-family houses that front on Gladewood Drive.
2. The Committee may wish to recommend an exception to Section 4338(b)(7) requiring pedestrian entrances from the street given the lack of a pedestrian system in the surrounding community and to discourage on-street parking.

The proposal, as presented complies with all Zoning Ordinance district standards, use and design standards and development standards, except as otherwise indicated above.

The committee may want to recommend the following conditions to assist in mitigating potential adverse impacts to the surrounding community:

1. With the close proximity of residences to the proposed fellowship hall and the potential for additional noise caused by additional traffic and auxiliary events, the committee may want to consider limiting events for the future 1-story, “the fellowship hall” to “operating hours” of functions between 8 AM and 10 PM.
2. On the north side of “New Parking Lot B”, the committee may want to condition an architectural buffer and require the placement of the buffer yard in the most effective location given the steep topography of the lot.
3. The committee may want to require additional screening such as a four-foot solid fence mounted in the landscape island, and at the higher elevation, between the upper and lower tiers in the New Parking Lot ‘B’.
4. In the eventuality that a day care center is established, the committee may want to consider limiting the number of children to a number consistent with the existing primary school and prohibit both a daycare and primary school from operating simultaneously on the site.
5. In order for the applicant to be in compliance with Town Code, the existing deficiencies shall be corrected as soon as possible.